

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

SCOTT SEDORE,

Case No. 2:23-cv-10647

Plaintiff,

Jonathan J.C. Grey
United States District Judge

v.

HEIDI WASHINGTON, et al.,

Patricia T. Morris
United States Magistrate Judge

Defendants.

_____ /

ORDER
GRANTING PLAINTIFF’S RENEWED
MOTION TO APPOINT COUNSEL (ECF No. 113)
AND
CONDITIONALLY APPOINTING COUNSEL
AND
STAYING CASE FOR THIRTY DAYS

Plaintiff Scott Sedore, proceeding *pro se*, filed this lawsuit asserting violations of his Eighth Amendment rights, Title II of the Americans with Disability Act (“ADA”), and the Rehabilitation Act. (ECF No. 1). Sedore is an incarcerated individual who has ably litigated similar actions in this Court. Recently, he was appointed pro bono counsel in case number 2:22-cv-10060 after many of his claims survived dispositive-motion practice. Pro bono counsel has now appeared on Sedore’s behalf in that matter.

Sedore has requested counsel at least a half dozen times in the instant action. (ECF Nos. 2, 26, 33, 60, 74, 82). These requests have all been denied without

prejudice. (ECF Nos. 9, 55, 62, 93). In its most recent order, the Court explained that

[t]his case is still in its early stages, as discovery remains ongoing and no party has yet moved for summary judgment. Further, the Court does not find the factual or legal issues to be complex, and Sedore's complaint and subsequent filings demonstrate that he can clearly state his claims and articulate his motions. If Sedore can demonstrate a change in circumstances that would necessitate the assistance of counsel, he may resubmit his request.

(ECF No. 93, PageID.747 (internal record citations omitted)).

In the instant motion, Sedore explains that dispositive motions have now been filed, and circumstances have thus changed. (ECF No. 113). While dispositive motions have now been filed, they have not yet been decided. Nonetheless, the Court has determined that Sedore would benefit from the assistance of counsel at this stage. Accordingly, the Court will endeavor to obtain pro bono counsel for Sedore. To limit the delay in these proceedings, the Court will only stay proceedings for thirty days.

IT IS ORDERED that this matter is referred to the Court's pro bono program for the appointment of counsel.

IT IS FURTHER ORDERED that the case will be stayed for thirty days from entry of this order while the Court attempts to obtain pro bono counsel for Sedore. If pro bono counsel is not obtained by this date, the stay will be lifted, and Sedore must continue to proceed *pro se*.

IT IS SO ORDERED.

Date: October 29, 2024

S/PATRICIA T. MORRIS

Patricia T. Morris

United States Magistrate Judge